

REMARKS

Before the present amendment claims 45-49 were pending in the case. Claim 45 is amended above. The drawings have also been amended as described above and on attached replacement sheets.

The Office Action and Responses Thereto

Rejection Under 35 USC §112

In the Office Action dated December 8, 2005 (hereinafter "Office Action") Claim 45 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Examiner felt the limitation "said set of application interfaces" lacked sufficient antecedent basis in the claims and specification.

Applicant concedes there was no mention of application interfaces in Claim 45 prior to the limitation "said set of application interfaces", and, consequently, the reference to "said" set of application interfaces is unclear. Applicant believes the current amendment to Claim 45, as detailed on page 3, clarifies the limitations of the claim, and particularly and distinctly claims the subject matter which Applicant regards as the invention. The relevant limitation of Claim 45 now reads "...an object based client-server architecture functionally supporting said meeting environment and said means for allowing mitigation of said protocol rules by virtue of a set of application program interfaces". Application program interfaces have sufficient antecedent bases in the specification, detailed in paragraph nos. 26, 58, 73 and the accompanying drawings, to enable one skilled in the art to determine what is particularly claimed by the limitation. As a result, Applicant respectfully requests that the objection under §112 be withdrawn.

Rejection Under 35 USC §103

In the Office Action claims 45-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang '99 et al. "Rule Mitigated Collaboration Technology", IEEE, p. 137, p. 142, Dec 1999 (hereinafter " '99 Reference"), in view of Chang '97 et al, "Research on Collaboration Net", 6th IEEE Workshop on Future Trends of Distributed Computing Systems 1997; pp. 228-33 (hereinafter " '97 Reference"). The examiner states that the '97 Reference discloses a client server collaboration distributed system that uses an internet session and floor control rules, such as Robert's Rules of Order ("RRO"), and a colored petri net to model an extended RRO. The examiner further states that the teachings of the '99 reference, when combined with the teachings of the '97 reference, render the current invention obvious to one skilled in the art.

Applicant respectfully traverses this rejection. While the examiner correctly states that the '99 Reference teaches some of the elements of the current invention, Applicant respectfully contends that the '99 Reference does not qualify as prior art under §102. A publication in this, or a foreign country, constitutes prior art when it is published more than one year prior to the filing date of the patent application. *MPEP 706.02(c)*. The publication date of a reference is considered to be the date the article is submitted to the public, not the date the article is submitted to the publisher. *In re Schlittler*, 110 USPQ 304 (CCPA 1956).

The '99 Reference was submitted to the IEEE as part of the 7th IEEE workshop on Future Trends of Distributed Computing Systems, which was held from the 20th to the 22nd of December in 1999. The earliest possible date the '99 Reference would have been available to the public was at the beginning of the conference, or December 20, 1999. As a result, the earliest possible date the '99 Reference could have been published is December 20, 1999. The patent application of the current invention was

filed on December 19, 2000. Although close, the earliest possible publication of the '99 Reference does not pre-date the filing of the current invention by more than one year and may not be used as prior art to ground a §103 rejection.

The '97 Reference is insufficient, by itself, to render the current invention obvious. The '97 Reference fails to teach means for allowing mitigation of a set of protocol rules within a meeting environment. Moreover, the '97 Reference fails to teach or suggest: an object based client-server architecture for supporting a meeting environment and means for allowing mitigation of the set of protocol rules; a set of application program interfaces which allow communication between said protocol mitigation means and the meeting environment; or an electronic meeting that takes advantage of a network's capacity to handle multiple simultaneous communication channels. As a result, the '97 Reference fails to teach or suggest the current invention as claimed, and Applicant respectfully requests the §103 rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested. If for any reason the Examiner still finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (310) 500-3596 to discuss the steps necessary for placing the application in condition for allowance.

You are hereby authorized to charge any fees due and refund any surplus fees to our Deposit Account No. 50-2899. Please reference matter number 91522.900100 (formally 25609.00010)

Respectfully submitted,

LINER YANKELEVITZ SUNSHINE & REGENSTREIF

Date: 8-May-06

By: /JoAnna M. Esty/
JoAnna M. Esty
Registration No. 31,482
Attorney for Applicant(s)

1100 Glendon Ave., 14th Floor
Los Angeles, CA 90024
Telephone: (310) 500-3500
Facsimile: (310) 500-3501